App. F. IX-4

Previous References. 1943 6 1942-3 (copy)

File No. 13-43 ~~96 42~~

Serial Nos. ~~2 on~~ 1

Later References.

53

GENERAL AND REVENUE SECRETARIAT

Serial Nos. One

Part B for Note

SUBJECT

The Collective Fines (Amendment) Act:

To The Compiler Nyasaland Gazette

Notice 189 dated 16th Aug 1943

directing the publication of the Act in the Ga:

Cossleworthy
1.3.44

From

The Secretary to the Hon'ble the Resident in H

Letter No F. 70-42/H dated 12th Feb 1943

Invites attention to the promulgation of the Collective Times (Amendment) Ordinance and the Indian Standard Time/Interpretation of References). Ordinance 1943 by the Govt of Ind

) A copy of the Gazette of India (Extraordinary), wherein the aforesaid ordinances are publi is put up herewith

The previous reference from the Residency on the subject of amending the Collective Times Ordinance was been submitted alon with the main file in connection with the extension of the Emergency Act

It is for orders whether the return of that file may be awaited

(4) The other ordinance referred to in the P.V seeks to provide for the interpretation in enactments in force in British India of references to Indian Standard Time

1. Copy of the G.M dated 20th Aug 1942 directing that the clocks in Mysore be adva by one hour from 1st September 1942 is put up herewith

It is for consideration whether the present ordina

Collective Fines (Amendment) Ordinance 1943
&
Indn. Standard Time (Interpretation of References) Ordinance 1943

may be adopted here also.

24
16-2-43
16/2

(7) The Collective Fines Act has been promulgated in response to an ... years measure and order has been solicited in another file for its Continuance. If it is ordered that it should be Continued then the present amendment barring legal proceedings in certain cases may also be adopted and incorporated in the Act so extended

(8) Ordinance VI of 1943 states that reference in any enactment to Indian Standard Time in relation to G.M.T shall be Construed as being as much in advance as an order of the Government may determine (being the sum of 5½ hrs). This evidently relates to the recent order advancing Indian Standard Time by one hour. It does not appear that there is any enactment in response which speaks of Indian Standard Time in relation to G.M.T. and therefore does not appear that any need for a similar enactment in response.

Secy
RA-Le)

16.2.43

SECY. L...

BJKR
16.2.43

Law Secy)

may be incorporated as suggested

25. 6554

OFFICE OF THE MINISTER FOR EDUCATION
Date 22-2-43
No. 4282

re Reserve Legislation Ordinance C.O. No. VI of 1943

Minister Law & Dewan

Cus 16-2-43

BKA 17.2.43

(10) 23.2.43

(11) 28/2/43
Cus 1-3-43
BKA 1.3.43

(12) Please note to incorporate this amendment when the Collective Fines Emergency Act is extended.

[illegible] 1.3.43

MW 2.3.43
Note BKA 1/3

Kind reference is invited to paras 9 & 11 of the notes supra wherein orders have been passed to incorporate the provisions of the Collective Fines (Amendment) Ordinance 1943, in the Collective Fines (Emergency Act, 1942.

Since the proposed amendment seeks to amend the principal Act (Emergency Act XXXIX of 1942), it is submitted that [illegible] Emergency measure appears to be necessary for this purpose. A draft Bill is put up for approval. A copy of the Emergency continue

Act to amend the Collective Farms (Emergency) Act, 1942

Continuation Sheet. File No. / Current No. of Page.

Act (Act XV of 1943) is also put up

W.
24-3-43
BKR
24/3

Draft Bill is for consideration
BKR
24-3-43

11383
24.3.43

Law Secy)
May be approved as already ordered
Secy
24-3-43
Minister, Law
Dewan
BKR
24/3/43

OFFICE OF THE MINISTER FOR EDUCATION
Date 25.3.43
No. 5325

JJ
25.3.43

MM
26/3/43
Secy
27-3-43

This is a Council matter.
BKR
27-3-43

Law Secy)
May be discussed by circulation
Secy
27-3-43
Dewan
BKR
27.3.43

27 MAR 1943
7502

MM
4/3/43

8255
SECRETARY
CHIEF
29 MAR. 1943
SECRETARIAT

Secy
29-3-43
BKR
29.3.43

Chief Secy
4-4

Submitted with a circulation memo.

4/3/43

For Disposal by Circulation.

No. C. 859

....9....1942.

GENERAL AND REVENUE SECRETARIAT

Council Matter.

Subject

THE COLLECTIVE FINES (EMERGENCY) (AMENDMENT) ACT 1943.

Circulated to the Council of Ministers.

By Order.

29th March 1943. *Chief Secretary to Government.*

29.3.43 **Minister for Finance and Revenue.** KL 30/3

~~**Minister For Law.**~~

Minister for Education. C Lew,

30/3 **Minister for Local Self-Government and Public Health.** 30.3.43.

Law See copies

D 01339—GPB—1,000—15-12-42

Cus 31-3-43

please put up a D.F.-N

31-3-43

Mr J.V.

The Collective Trials (Emergency) (Amendment) Act 1943

Continuation Sheet. | File No. / Current No. | of | Page.

4441B2

A & F.N. is submitted for approval

2V. 1-4-43 — Please put up a typed draft now

BMM 1/4 — BKR 1.4.43.

A typed draft is submitted herewith.

2V. 2-4-43 BMM 2/4 — D.F.N. is put up for approval

BKR 2.4.43

Law Secy)
Submitted

Mr. Law — Cr 2-4-43

F.N. put up:

14-5 7/4 — Submitted

Dewan — Cr 8-4-43

BKR 8.4.43

OFFICE OF THE MINISTER FOR EDUCATION
Date 3.4.43
No. 5616

8. APR. 1943
NO 7857

Final Note by the Minister for Education.

Subject.—

Promulgation of the Collective Fines (Emergency) (Amendment) Act, 1943.

With the gracious approval of His Highne-- accorded on the 8th March 1943, the Collective Fines (Emergency) Act, XXXIX of 1942, has been continued for a further period of six months by the Collective Fines (Emergency Continuance) Act, XV of 1943.

The Collective Fines Ordinance 1942, on the lines of which the Mysore Emergency Act was passed, has been amended by Ordinance V of 1943 promulgated by the Governor-General on the 20th January 1943. This amending ordinance seeks to include a new provision in the original Ordinance barring legal proceedings against persons for acts done in goodfaith under the Ordinance. It is proposed to amend our Emergency Act by another emergency measure by incorporating similar provision.

The Dewan and the other Ministers are agreeable to the above proposal.

I solicit the gracious sanction of His Highness to the Emergency Act drafted for the purpose.

Bangalore,
6th April 1943.

MINISTER FOR EDUCATION.

Submitted to His Highness.

I submit herewith a Final Note by the Minister for Education on the subject of the promulgation of the Collective Fines (Emergency) (Amendment) Act of 1943, for His Highness's gracious approval.

N. Madhava Rau

DEWAN.

Bangalore,

8th April 1943.

Record of Cases submitted for the Orders of His Highness the Maharaja.

Subject.

Promulgation of the Collective Fines (Emergency) (Amendment) Act of 1943.

No 747

Order.

14/4/43

20/4/43

General and Revenue

Secretariat.

c85?

SUBJECT:—

Promulgation of the Collective Fines (Emergency) (Amendment) Act of 1943.

(*)

14. All urgent or confidential files returned with His Highness' orders may, in the absence of instructions or indications to the contrary, be ordinarily circulated to the Ministers for perusal after the issue of orders.

16. The Secretaries concerned should see that orders in the cases referred to above are issued at once and that the files are returned immediately after, to the Chief Secretary for circulation to the Ministers.

17. In all other cases, the files will first be circulated to the Ministers at Headquarters and then sent to the Secretariat concerned for the issue of orders

Circulated to Council of Ministers for perusal of His Highness' orders before/after issue of orders. (*Vide* Rules 14, 16 and 17 of the Subsidiary Rules of the Mysore Government Business Rules.) (*)

Udayavarkar 21

Offg. *Chief Secretary to Government.*

20/4/43

Through the Secretary to Government,

Law.....Department.

Cur
20-4-43

9102
26/4

Minister for ~~Finance and~~ Revenue. & Law. 28/4

6115
21.4

Minister for ~~Law.~~ P. W. 22.4.43

205
24/4

Minister for Education. 24/4

8889
22/4

Minister for Local Self-Govt. and Public Health. 22.4.43

42
26.4.43

Minister for Ind. & Com.

Law see W/cs 25/4

NOTE.—Contn. sheet

WD 0718—GPB—1,000—11-9-42

Cur
30.4.43

WD
30/4/43

BKR
30.4.43

I Some Act & Prepare bill
+ St. I Principle & Act
SW
30/4/43

Final Note by the Minister for Revenue and Law.

Subject.— Promulgation of the Collective Fines Bill.

On the 8th March 1943, His Highness was graciously pleased to approve of the proposal to promulgate the Collective Fines - (Emergency)(Continuance) Act, 1943 and thereafter, to take action to bring forward a Bill in the usual course before the Legislature. The principal Act was in the meanwhile amended by another emergency measure to which the gracious approval of His Highness was accorded on 14th April 1943.

A Bill drafted on the basis of the Emergency Act and the amending Act was placed before the Representative Assembly in June 1943. The general principles of the Bill were not approved by that Chamber, 98 members voting against it and 42 members in favour of it. As the need for the continuance of the measure beyond the extended period of six months was considered necessary the Bill was introduced in the Legislative Council at its recent Budget Session. Certain amendments were moved by the Secretary to Government, Law Department and accepted by the House and the Bill, as amended, was passed by the Council.

A copy of the Bill, as passed by the Legislative Council and signed by the President in accordance with Standing Order 44 of the Mysore Legislative Council Standing Orders is submitted herewith.

I solicit the gracious sanction of His Highness to promulgate the Bill into law.

K V Ranga Iyanna

Bangalore,
17th July 1943.

Minister,
Revenue and Law.

Submitted to His Highness.

I submit herewith a Final Note by the Minister for Revenue and Law on the subject of the promulgation into law of the Collective Fines Bill, for His Highness's gracious sanction.

M. Visvesvaraya

Bangalore,
19th July 1943.

D E W A N.

Record of Cases submitted for the Orders of His Highness the Maharaja.

Subject.

Proposal to promulgate into law the Collective Fines Bill.

No. 63

Order.

28/7/'43.

Chief Sec'y
Govt
30/7/43
WP 30/7/43

General and Revenue

Secretariat.

c121

SUBJECT:—

Proposal to promulgate into law the Collective Fines Bill.

(*)

14. All urgent or confidential files returned with His Highness' orders may, in the absence of instructions or indications to the contrary, be ordinarily circulated to the Ministers for perusal after the issue of orders.

16. The Secretaries concerned should see that orders in the cases referred to above are issued at once and that the files are returned immediately after, to the Chief Secretary for circulation to the Ministers.

17. In all other cases, the files will first be circulated to the Ministers at Headquarters and then sent to the Secretariat concerned for the issue of orders.

Circulated to Council of Ministers for perusal of His Highness' orders before/after issue of orders. (*Vide* Rules 14, 16 and 17 of the Subsidiary Rules of the Mysore Government Business Rules.) (*)

Udayavanam
Chief Secretary to Government.
30/7/43

Through the Secretary to Government,

.....Law.....Department.

Circ 30-7-43

760 / 9/8/43 — Minister for Revenue and Law. 8/8

644 / 30.7 — Minister for Public Works. 29-7.

877 / 31/7 — Minister for Local Self-Govt. and Public Health. 31.7.43

664 / 6.8.43 — Minister for Industries and Commerce Supplies. 5/8

730 / 6.8.43 — Minister for Education. 6/8

Law Secy

WD 02718—GPB—500—21-4-43

Circ 9-8-43 9/8/43

To issue orders 9.8.43

OFFICE OF THE SECRETARY
M.L.A.
9 AUG. 1943
REPRESENTATIVE ASSEMBLY
AND
LEGISLATIVE COUNCIL

NOTE.—Contn. sheet

The Collective Fines Act 1943

ontinuation Sheet. File No. 444/AL of Page.
Current No.

The gracious assent of His Highness the Maharaja was accorded on 28th July 1943 to promulgate the Bill into law.

A draft G.O. directing the publication of the Act as Act No XLV of 1943 is submitted for approval

SECY. LAW DEPT. 1492

JV 11/8/43

BVN 11/8

(Secy. to GA. Dept)

BVN 11.8.43

(Law Secy)

11-8-43

11.8.43

To The Comptroller Mysore Gazette

No RL 189 — Legis 13-43-1 dated 16th Aug 1943

Directs the publication of the Act as Act No XXXVIII of 1943

The Act has been published in part IV of the Gazette dated 19th Aug 1943

JV. 20/8/43

A

A spare copy of the Act received from the press is put up in the file.

If approved, the file will be recorded.

JV 8/11/43

OFFICE OF THE SECRETARY TO GOVERNMENT 1943 LEGISLATIVE ASSEMBLY

JV 8/11/43

8.11.43

444/M. No.F.70-42/W.

From - The Secretary to the Hon'ble the Resident in Mysore,
To - The Chief Secretary to the Government of His Highness the Maharaja of Mysore, Bangalore.

OFFICE OF THE SECRETARY
MW2N.
15 FEB 1943
REPRESENTATIVE MYSORE

Bangalore, 12th February 1943.

Sir,

I am directed to refer to my letter No.F.70-42/W dated the 17th December 1942 and to invite attention to the Collective Fines (Amendment) Ordinance, 1943, and the Indian Standard Time (Interpretation of References) Ordinance, 1943, published in the Gazette of India Extra-ordinary dated the 20th January 1943.

I have the honour to be,
Sir,
Your most obedient servant,

SECRETARY TO THE RESIDENT.

CHIEF SECRETARY
12 FEB. 1943
GOVT. OF MYSORE

Legis Section

AV

for 15.2.43.

C E Rao

ACT NO. OF 1943.

THE COLLECTIVE FINES (EMERGENCY) (AMENDMENT) ACT 1943.

WHEREAS the Government of His Highness the Maharaja is satisfied that circumstances exist which render it necessary to take immediate action to amend the Collective Fines (Emergency) Act, 1942, (Act XXXIX of 1942), continued by the Collective Fines (Emergency Continuance) Act, 1943, (Act XV of 1943);

NOW, THEREFORE, in exercise of the powers conferred by sub-section (1) of section 31 of the Government of Mysore Act, 1940 (XVIII of 1940);

It is hereby enacted as follows:-

Short title and commencement

1.(1) This Act may be called the Collective Fines (Emergency) (Amendment) Act, 1943.

(2) It shall come into force at once.

Addition of section 3 to Act XXXIX of 1942.

2. In the Collective Fines (Emergency) Act, 1942, continued by the Collective Fines (Emergency Continuance) Act 1943, (Act XV of 1943), the following section shall be added as section 3, namely:-

Bar of legal proceedings.

"3. No suit, prosecution or other legal proceeding whatsoever shall lie against any person for or in respect of anything which is in good faith done or intended to be done under this Act."

BKR
23-3-43

14/4/43

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS
THE MAHARAJA OF MYSORE

Order No. RL 1036 Legis 56-42-2 Dated, Bangalore, 1st May 1943

Ordered that the accompanying Collective Fines (Emergency) (Amendment) Act 1943

which received the assent of His Highness the Maharaja, on the 14th day of April 1943, be published as Act No. XIX of 1943, in the *Mysore Gazette*, for general information.

3-5-43

BKR 1.5.43

General Secretary to Government.

Law Department

KVR

To

(1) The Compiler, *Mysore Gazette*, for publication in Part IV of the Gazette, in English and Kannada and for supply of spare copies in English and Kannada, as per standing orders.

(2) Copy to the Translation Section.

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS
THE MAHARAJA OF MYSORE

ORDER NO. Rl. 1036./Legis.56-42-2.

Dated, Bangalore, ~~May~~ 4th May, 1943.

Ordered that the accompanying COLLECTIVE FINES (EMERGENCY) (AMENDMENT) ACT, 1943, which received the assent of His Highness the Maharaja on the 14th day of April 1943, be published as Act No.XIX of 1943 in the Mysore Gazette, for general information.

B K Ramakrishnaiya

Secretary to Government,
Law Department.

To

The Compiler, Mysore Gazette, for publication in Part IV of the Gazette, in English and Kannada and for supply of spare copies in English and Kannada, as per standing orders.

PRS.

ACT NO. XIX OF 1943.

THE COLLECTIVE FINES (EMERGENCY)(AMENDMENT) ACT 1943.

Received the assent of His Highness the Maharaja on the 14th day of April 1943.

WHEREAS the Government of His Highness the Maharaja is satisfied that circumstances exist which render it necessary to take immediate action to amend the Collective Fines (Emergency) Act, 1942, (Act XXXIX of 1942), continued by the Collective Fines (Emergency Continuance) Act, 1943, (Act XV of 1943);

NOW THEREFORE, in exercise of the powers conferred by sub-section (1) of section 31 of the Government of Mysore Act, 1940 (XVIII of 1940);

It is hereby enacted as follows:-

Short title and commencement

1.(1) This Act may be called the Collective Fines (Emergency)(Amendment) Act, 1943.

(2) It shall come into force at once.

Addition of section 3 to Act XXXIX of 1942.

2. In the Collective Fines (Emergency) Act, 1942, continued by the Collective Fines (Emergency Continuance) Act, 1943, (Act XV of 1943), the following section shall be added as section 3, namely:-

Bar of legal proceedings.

"3. No suit, prosecution or other legal proceeding whatsoever shall lie against any person for or in respect of anything which is in good faith done or intended to be done under this Act."

(Sd.) N. MADHAVA RAU,

D e w a n.

Collective Fines Bill

ಮೈಸೂರು ಪ್ರಜಾಪ್ರತಿನಿಧಿ ಸಭೆ

ಬಡ್ಜೆಟ್ ಅಧಿವೇಶನ—ಜೂನ್ 1943

ಮಸೂದಾ ಕಾನೂನುಗಳು

1. ಮೈಸೂರು ಸಂಸ್ಥಾನದಲ್ಲಿ ಸಾಮೂಹಿಕ ಜುಲ್ಮಾನೆಗಳನ್ನು ವಿಧಾಯಕ ಮಾಡುವುದಕ್ಕೆ ಸಂಬಂಧಪಟ್ಟ ಮಸೂದಾ ಕಾನೂನಿನ ನಿಯಮಗಳ ವಿವರ.

1942ನೆಯ ಇಸವಿ ಮೇ ತಿಂಗಳಿನಲ್ಲಿ ಬ್ರಿಟಿಷ್ ಇಂಡಿಯಾದಲ್ಲಿ ಸಾಮೂಹಿಕ ಜುಲ್ಮಾನೆಗಳನ್ನು ವಿಧಾಯಕ ಮಾಡುವುದಕ್ಕೆ ಸಂಬಂಧಪಟ್ಟ 'ಆರ್ಡಿನೆನ್ಸ್' ಕಾನೂನು ಜಾರಿಗೆ ತರಲ್ಪಟ್ಟಿತು. ಆ ಆರ್ಡಿನೆನ್ಸಿನಲ್ಲಿ, ಇಂಡಿಯಾ ದೇಶದ ರಕ್ಷಣೆ, ಸಾರ್ವಜನಿಕ ನೆಮ್ಮದಿ, ಸಾರ್ವಜನಿಕರಲ್ಲಿ ಶಿಸ್ತುಪಾಲನೆ, ಯುದ್ಧಸಂಬಂಧವಾದ ಕೆಲಸಗಳು ದಕ್ಷತೆಯಿಂದ ನೆರವೇರುವುದು, ಅಥವಾ ಜನಜೀವನಕ್ಕೆ ಬೇಕಾದ ಸರಬರಾಯಿಗಳೂ, ಅಥವಾ ಆವಶ್ಯಕವಾದ ಸೌಕರ್ಯಕಲ್ಪನೆಯ ಸೇವಾಕಾರ್ಯಗಳೂ ನಡೆದುಬರುವುದು—ಇವುಗಳಿಗೆ ಬಾಧಕವನ್ನುಂಟುಮಾಡತಕ್ಕ ತಕ್ಸೀರುಗಳನ್ನು ಮಾಡುವುದರಲ್ಲಿ ಅಥವಾ ಅಂಥ ತಕ್ಸೀರುಗಳಿಗೆ ಮದ್ದತ್ತನ್ನು ಮಾಡುವುದರಲ್ಲಿ ಯಾವುದಾದರೂ ಒಂದು ಪ್ರದೇಶದ ನಿವಾಸಿಗಳು ಸಂಬಂಧಪಟ್ಟಿದ್ದರೆ, ಅವರುಗಳ ಮೇಲೆ ಸಾಮೂಹಿಕ ಜುಲ್ಮಾನೆಗಳನ್ನು ವಿಧಾಯಕ ಮಾಡುವುದಕ್ಕೆ ಅವಕಾಶವು ಕಲ್ಪಿತವಾಗಿದೆ. 1942ನೆಯ ಇಸವಿಯ ಆಗಸ್ಟ್ ಮತ್ತು ಸೆಪ್ಟೆಂಬರ್ ತಿಂಗಳುಗಳಲ್ಲಿ ಉಂಟಾಗಿದ್ದ ಪರಿಸ್ಥಿತಿಗಳ ದೆಸೆಯಿಂದ, ಮೈಸೂರು ಸಂಸ್ಥಾನದಲ್ಲಿ, ಆವಶ್ಯಕ ಕಂಡ ಸಂದರ್ಭಗಳಲ್ಲಿ ಅಂಥ ದಂಡನೆಗಳನ್ನು ವಿಧಿಸುವ ಅಧಿಕಾರವು ಸರ್ಕಾರದವರಿಗೆ ಇರುವಂತೆ ಏರ್ಪಡಿಸಬೇಕೆಂದು ತೋರಿಬಂದುದರಿಂದ, 1942ನೆಯ ಇಸವಿ ಸೆಪ್ಟೆಂಬರ್ ತಿಂಗಳಿನಲ್ಲಿ ಒಂದು ಜರೂರಾತಿಯ ಆಕ್ಟನ್ನು ಜಾರಿಗೆ ತರಲಾಯಿತು.

ಆ ಆಕ್ಟಿನ ಮೂಲಕ ಸರ್ಕಾರದವರಿಗೆ ಕೊಡಲ್ಪಟ್ಟ ಅಧಿಕಾರವು ಇನ್ನೂ ಸ್ವಲ್ಪ ಕಾಲದವರೆಗೆ ಇರಲು ಅವಕಾಶವಿರಬೇಕೆಂದು ಸರ್ಕಾರದವರು ಭಾವಿಸಿದರು. ಆದುದರಿಂದ ಆ ಜರೂರಾತಿಯ ಆಕ್ಟು ಇನ್ನೂ ಆರು ತಿಂಗಳುಗಳವರೆಗೆ ಜಾರಿಯಲ್ಲಿರುವಂತೆ ಮಾಡಲು ಆ ಜರೂರಾತಿಯ ಆಕ್ಟನ್ನು ಮುಂದುವರಿಸುವ ಆಕ್ಟನ್ನು 1943ನೆಯ ಇಸವಿ ಮಾರ್ಚ್ ತಿಂಗಳಿನಲ್ಲಿ ಏರ್ಪಡಿಸಲಾಯಿತು. ಅದೇ, ಸಾಮೂಹಿಕ ಜುಲ್ಮಾನೆಗಳನ್ನು ವಿಧಾಯಕ ಮಾಡುವುದಕ್ಕೆ ಸಂಬಂಧಪಟ್ಟ (ಜರೂರಾತಿ ಮುಂದುವರಿಸಿದ) ಆಕ್ಟು. ಈಗ ಈ ಏರ್ಪಾಡನ್ನು ಇನ್ನೂ ಸ್ವಲ್ಪ ಕಾಲದವರೆಗೆ ಮುಂದುವರಿಸಬೇಕೆಂದು ಉದ್ದೇಶಿಸಲಾಗಿದೆ. ಅದಕ್ಕಾಗಿ ಈ ಮಸೂದಾ ಕಾನೂನನ್ನು ರಚಿಸಿ ಅದನ್ನು ಸಭಿಕರ ಪರ್ಯಾಲೋಚನೆಗಾಗಿ ಒಪ್ಪಿಸಲಾಗಿದೆ. ಸಾಮೂಹಿಕ ಜುಲ್ಮಾನೆಗಳನ್ನು ವಿಧಾಯಕ ಮಾಡಲೇಬೇಕಾದ ಸಂದರ್ಭಗಳೇನಾದರೂ ಒಂದುವೇಳೆ ಒದಗಿದಲ್ಲಿ ಮಾತ್ರ ಅಂಥ ಜುಲ್ಮಾನೆಗಳನ್ನು ವಿಧಿಸಲು ಸರ್ಕಾರದವರಿಗೆ ಅಧಿಕಾರವಿರುವಂತೆ ಅವಕಾಶ ಕಲ್ಪಿಸುವುದು ಮಾತ್ರವೇ ಈ ಕಾನೂನಿನ ಆಶಯ. ಇಷ್ಟು ಹೊರತು ಆ ಬಗೆಯ ಸಂದರ್ಭಗಳಿಲ್ಲದಿದ್ದೂ ಅಂಥ ಜುಲ್ಮಾನೆಗಳನ್ನು ವಿಧಿಸಬೇಕೆಂಬುದೇನೂ ಈ ಮಸೂದಾ ಕಾನೂನಿನ ಉದ್ದೇಶವಾಗಿಲ್ಲ.

ಸಾಮೂಹಿಕ ಜುಲ್ಮಾನೆಗಳಿಗೆ ಸಂಬಂಧಪಟ್ಟ ಮಸೂದಾ ಕಾನೂನು

ಮೈಸೂರು ಸಂಸ್ಥಾನದಲ್ಲಿ ಸಾಮೂಹಿಕ ಜುಲ್ಮಾನೆಗಳನ್ನು ವಿಧಾಯಕ ಮಾಡುವುದಕ್ಕೆ ಅವಕಾಶವನ್ನು ಕಲ್ಪಿಸುವುದಕ್ಕಾಗಿ ಏರ್ಪಟ್ಟ ಮಸೂದಾ ಕಾನೂನು.

ಇಂಡಿಯಾ ದೇಶದ ರಕ್ಷಣೆ, ಸಾರ್ವಜನಿಕ ನೆಮ್ಮದಿ, ಸಾರ್ವಜನಿಕರಲ್ಲಿ ಶಿಸ್ತುಪಾಲನೆ, ಯುದ್ಧಸಂಬಂಧವಾದ ಕೆಲಸಗಳು ದಕ್ಷತೆಯಿಂದ ನೆರವೇರುವುದು, ಅಥವಾ ಜನಜೀವನಕ್ಕೆ ಬೇಕಾದ ಸರಬರಾಯಿಗಳೂ ಅಥವಾ ಆವಶ್ಯಕವಾದ ಸೌಕರ್ಯಕಲ್ಪನೆಯ ಸೇವಾ ಕಾರ್ಯಗಳೂ ನಡೆದುಬರುವುದು—ಇವುಗಳಿಗೆ ಬಾಧಕವನ್ನುಂಟುಮಾಡತಕ್ಕ ತಕ್ಸೀರುಗಳ ಸಂಬಂಧದಲ್ಲಿ ಸಾಮೂಹಿಕ ಜುಲ್ಮಾನೆಗಳನ್ನು ವಿಧಾಯಕ ಮಾಡುವುದಕ್ಕೆ ಅವಕಾಶವನ್ನು ಕಲ್ಪಿಸುವುದು ಯುಕ್ತವಾಗಿರುವುದರಿಂದ.

ಈ ಕೆಳಗೆ ಕಂಡಂತೆ ಈ ಮೂಲಕ ಕಾನೂನನ್ನು ವಿಧಾಯಕ ಮಾಡಲಾಗಿದೆ :—

ಚಿಕ್ಕ ಹೆಸರು, ವ್ಯಾಪ್ತಿ, ಮತ್ತು ಪ್ರಾರಂಭ.

1. (1) ಈ ಆಕ್ಟನ್ನು 194 ನೆಯ ಇಸವಿಯ ಸಾಮೂಹಿಕ ಜುಲ್ಮಾನೆಗಳಿಗೆ ಸಂಬಂಧಪಟ್ಟ ಆಕ್ಟು ಎಂದು ಕರೆಯಬಹುದು.

(2) ಇದು ಮೈಸೂರು ಸಂಸ್ಥಾನಕ್ಕೆಲ್ಲ ಅನ್ವಯಿಸುತ್ತದೆ.

(3) ಇದು ಕೂಡಲೇ ಜಾರಿಗೆ ಬರತಕ್ಕದು.

ಒಂದು ಪ್ರದೇಶದ ನಿವಾಸಿಗಳ ಮೇರೆ ಸಾಮೂಹಿಕವಾದ ಜುರ್ಮಾನೆಯನ್ನು ವಿಧಿಸುವುದು.

2. 1) ಯಾವುದಾದರೂ ಪ್ರದೇಶದ ನಿವಾಸಿಗಳು, ಇಂಡಿಯಾ ದೇಶದ ರಕ್ಷಣೆಯ ವಿಚಾರದಲ್ಲಾಗಲಿ ಅಥವಾ ಸಾರ್ವಜನಿಕ ನೆಮ್ಮದಿಯ ವಿಚಾರದಲ್ಲಾಗಲಿ ಅಥವಾ ಸಾರ್ವಜನಿಕ ಶಿಸ್ತು ಪಾಲನೆಯ ವಿಚಾರದಲ್ಲಾಗಲಿ ಅಥವಾ ಯುದ್ಧ ಸಂಬಂಧವಾದ ಕೆಲಸಗಳು ದಕ್ಷತೆಯಿಂದ ನೆರವೇರುವ ವಿಚಾರದಲ್ಲಾಗಲಿ ಅಥವಾ ಜನಜೀವನಕ್ಕೆ ಬೇಕಾದ ಸರಬರಾಯಿಗಳೂ ಅಥವಾ ಸೌಕರ್ಯಕಲ್ಪನೆಗಳ ಸೇವಾ ಕಾರ್ಯಗಳೂ ನಡೆದುಬರುವ ವಿಚಾರದಲ್ಲಾಗಲಿ ಬಾಧಕವುಂಟಾಗುವಂತೆ ಯಾವುದಾದರೂ ತಕ್ಸೀರನ್ನು ಮಾಡಿದರೆಂದಾಗಲಿ ಅಥವಾ ಅಂಥ ತಕ್ಸೀರಿಗೆ ಮದ್ದತ್ತು ಮಾಡಿದರೆಂದಾಗಲಿ ಅಥವಾ ಅಂಥ ತಕ್ಸೀರುಗಳನ್ನು ಮಾಡುವ ಕೆಲಸದಲ್ಲಿ ತೊಡಗಿದವರಿಗೆ ಆಶ್ರಯವನ್ನು ಕೊಟ್ಟರೆಂದಾಗಲಿ ಅಥವಾ ಅಂಥ ತಕ್ಸೀರುದಾರನನ್ನು ಅಥವಾ ತಕ್ಸೀರುದಾರರುಗಳನ್ನು ಪತ್ತೆ ಮಾಡಲು ಅಥವಾ ಹಿಡಿಯಲು ತಮ್ಮ ಕೈಯಲ್ಲಾದ ಸಹಾಯವನ್ನೆಲ್ಲ ಮಾಡದೆ ತಪ್ಪಿದರೆಂದಾಗಲಿ, ಅಥವಾ ಅಂಥ ತಕ್ಸೀರುಗಳನ್ನು ಮಾಡಿದುದಕ್ಕೆ ಸಂಬಂಧಪಟ್ಟ ಮುಖ್ಯವಾದ ಸಾಕ್ಷ್ಯವನ್ನು ಮರೆಮಾಡಿದ್ದಾರೆಂದಾಗಲಿ ಸರ್ಕಾರದವರಿಗೆ ತೋರಿ ಬಂದ ಪಕ್ಷದಲ್ಲಿ, ಅವರು ಸರ್ಕಾರಿ ಗೆಜೆಟ್ಟಿನಲ್ಲಿ ಇಸ್ತಿಹಾರ್ನಾಮೆಯನ್ನು ಪ್ರಕಟಿಸುವುದರ ಮೂಲಕ ಅಂಥ ಪ್ರದೇಶದ ನಿವಾಸಿಗಳ ಮೇಲೆ ಸಾಮೂಹಿಕವಾದ ಜುಲ್ಮಾನೆಯನ್ನು ವಿಧಿಸಬಹುದು.

(2) ಸರ್ಕಾರದವರು ಆಯಾ ಪ್ರದೇಶದ ನಿವಾಸಿಗಳ ಪೈಕಿ ಯಾವ ಮನುಷ್ಯನನ್ನಾಗಲಿ ಅಥವಾ ಯಾವ ತರಗತಿಯವರನ್ನಾಗಲಿ ಅಥವಾ ಯಾವ ಪಂಗಡದವರನ್ನಾಗಲಿ ಅಂಥಾ ಜುಲ್ಮಾನೆಯಪೈಕಿ ಯಾವುದೊಂದು ಭಾಗವನ್ನಾಗಲಿ ಕೊಡಬೇಕಾದ ಬದ್ಧತೆಯಿರದಂತೆ ವಿನಾಯಿಸಬಹುದು.

(3) ಡಿಸ್ಟ್ರಿಕ್ಟು ಮ್ಯಾಜಿಸ್ಟ್ರೇಟರವರು, ಆವಶ್ಯಕವೆಂದು ತಮಗೆ ತೋರಿದ ವಿಚಾರಣೆಯನ್ನು ನಡೆಯಿಸಿದ ತರುವಾಯ ಅಂಥಾ ಜುಲ್ಮಾನೆಯ ಮೊಬಲಗನ್ನು—ಅದನ್ನು ಸಾಮೂಹಿಕವಾಗಿ ಪಾವತಿ ಮಾಡಬೇಕಾದ ಆಯಾ ಪ್ರದೇಶದ ನಿವಾಸಿಗಳಲ್ಲಿ ಯಾರು ಯಾರು ಎಷ್ಟೆಷ್ಟು ಭಾಗದ ಹಣವನ್ನು ಪಾವತಿ ಮಾಡಬೇಕೆಂಬುದನ್ನು ವಿಧಾಯಕ ಮಾಡುವ ಮೂಲಕ—ಹಂಚಿ ಹಾಕತಕ್ಕುದು. ಹಾಗೆ ಹಂಚಿಹಾಕುವ ಸಂದರ್ಭದಲ್ಲಿ ಆಯಾ ಪ್ರದೇಶದ ನಿವಾಸಿಗಳಲ್ಲಿ ಹಣವನ್ನು ಕೊಡಲು ಯಾರು ಯಾರಿಗೆ ಎಷ್ಟೆಷ್ಟು ಜ್ಞೈತನ್ಯವುಂಟೆಂಬುದನ್ನು ಡಿಸ್ಟ್ರಿಕ್ಟು ಮ್ಯಾಜಿಸ್ಟ್ರೇಟರವರು ಗಮನಕ್ಕೆ ತಂದುಕೊಂಡು ಅದಕ್ಕನುಗುಣವಾಗಿ ಅವರವರು ಪಾವತಿ ಮಾಡಬೇಕಾದ ಮೊಬಲಗು ಎಷ್ಟೆಂಬುದನ್ನು ನಿರ್ಧರಿಸಿ ವಿಧಾಯಕ ಮಾಡತಕ್ಕುದು.

(4) ಯಾವನಾದರೂ ಮನುಷ್ಯನು ಪಾವತಿ ಮಾಡಬೇಕಾದ ಆಯಾ ಜುಲ್ಮಾನೆಯ ಭಾಗವನ್ನು, ಆತನಿಂದ ಇತರ ಜುಲ್ಮಾನೆ ಮೊತ್ತವನ್ನು ವಸೂಲು ಮಾಡುವಂತಾಗಲಿ ಅಥವಾ ಜಮಾನು ಕಂದಾಯದ ಬಾಕಿಯನ್ನು ವಸೂಲು ಮಾಡುವಂತಾಗಲಿ ವಸೂಲು ಮಾಡಬಹುದು.

ವಿವರಣೆ.—ಈ ಪ್ರಕರಣದ ಉದ್ದೇಶಗಳಿಗಾಗಿ "ಒಂದು ಪ್ರದೇಶದ ನಿವಾಸಿಗಳು" ಎಂಬ ಪದಗಳಲ್ಲಿ ಆಯಾ ಪ್ರದೇಶಕ್ಕೆ ಸೇರಿದಂತೆ ಅಲ್ಲಿ ತಾವೇ ಆಗಲಿ ಅಥವಾ ತಮ್ಮ ಮುತಾಲಿಕರುಗಳ ಮೂಲಕವಾಗಲಿ ಅಥವಾ ಆಳುಗಳ ಮೂಲಕವಾಗಲಿ ಜಮಾನನ್ನಾಗಲಿ ಅಥವಾ ಇತರ ಸ್ಥಿರ ಸ್ವತ್ತನ್ನಾಗಲಿ ಅನುಭವದಲ್ಲಿಟ್ಟುಕೊಂಡಿರತಕ್ಕ ಅಥವಾ ಹಿಡುವಳಿಯಲ್ಲಿಟ್ಟುಕೊಂಡಿರತಕ್ಕ ಮನುಷ್ಯರೂ ಮತ್ತು ತಾವು ವಾಸ್ತವವಾಗಿ ಆ ಪ್ರದೇಶದಲ್ಲಿ ವಾಸಮಾಡದಿದ್ದರೂ ಆ ಪ್ರದೇಶದಲ್ಲಿ ಜಮಾನನ್ನು ಹಿಡುವಳಿಯಲ್ಲಿಟ್ಟುಕೊಂಡಿರುವವರಿಂದ ಅಥವಾ ಅನುಭವದಲ್ಲಿಟ್ಟುಕೊಂಡಿರುವವರಿಂದ ಗ್ರೇಣಿ ಮೊಬಲಗುಗಳನ್ನು ತಾವೇ ಆಗಲಿ ಅಥವಾ ತಮ್ಮ ಮುತಾಲಿಕರ ಮೂಲಕವಾಗಲಿ ಅಥವಾ ಆಳುಗಳ ಮೂಲಕವಾಗಲಿ ವಸೂಲು ಮಾಡತಕ್ಕ ಜಮಾನುದಾರರೂ ಸೇರಿರುತ್ತಾರೆ.

ಕೋರ್ಟು ವ್ಯವಹರಣೆಗಳಿಗೆ ಅವಕಾಶವಿಲ್ಲದಿರುವುದು.

3. ಈ ಆಕ್ಟಿನ ಮೇರೆಗೆ ಯಾವನಾದರೂ ಮನುಷ್ಯನು, ಪ್ರಾಮಾಣಿಕತೆಯಿಂದ ಮಾಡಿದ ಅಥವಾ ಮಾಡಲು ಉದ್ದೇಶಿಸಿದ ಯಾವುದಾದರೂ ಕಾರ್ಯಕ್ಕಾಗಿ ಅಥವಾ ಕಾರ್ಯದ ಸಂಬಂಧದಲ್ಲಿ ಆತನ ಮೇಲೆ, ಯಾವ ದಾವೆಯನ್ನಾದರೂ ಹೂಡುವುದಕ್ಕಾಗಲಿ, ಪ್ರಾಸೆಕ್ಯೂಷ್ಯ ಕ್ರಮವನ್ನು ಜರುಗಿಸುವುದಕ್ಕಾಗಲಿ, ಅಥವಾ ಇತರ ಯಾವುದಾದರೂ ಕೋರ್ಟು ವ್ಯವಹರಣೆಯನ್ನು ನಡೆಯಿಸುವುದಕ್ಕಾಗಲಿ ಅವಕಾಶವಿರತಕ್ಕುದಲ್ಲ.

ರದ್ದಿಯಾತಿ ಮತ್ತು ಉಳಿಸಿಕೊಳ್ಳಲ್ಪಟ್ಟ ಅಂಶಗಳು.

4. 1942ನೆಯ ಇಸವಿಯ XXXIXನೆಯ ನಂಬರಿನ ಆಕ್ಟಾದ 1942ನೆಯ ಇಸವಿಯ ಸಾಮೂಹಿಕ ಜುಲ್ಮಾನೆಗಳನ್ನು ವಿಧಾಯಕ ಮಾಡುವುದಕ್ಕೆ ಸಂಬಂಧಪಟ್ಟ (ಜರೂರಾತಿಯ) ಆಕ್ಟನ್ನೂ ಮತ್ತು 1943ನೆಯ ಇಸವಿಯ XVನೆಯ ನಂಬರಿನ ಆಕ್ಟಾದ 1943ನೆಯ ಇಸವಿಯ ಸಾಮೂಹಿಕ ಜುಲ್ಮಾನೆಗಳನ್ನು ವಿಧಾಯಕ ಮಾಡುವುದಕ್ಕೆ ಸಂಬಂಧಪಟ್ಟ (ಜರೂರಾತಿಯ ಮುಂದುವರಿಸಿದ) ಆಕ್ಟನ್ನೂ ಈ ಮೂಲಕ ರದ್ದುಪಡಿಸಲಾಗಿದೆ. ಆದರೆ, ಆ ಜರೂರಾತಿಯ ಆಕ್ಟಿನಿಂದ ಅಥವಾ 1943ನೆಯ ಇಸವಿಯ ಸಾಮೂಹಿಕ ಜುಲ್ಮಾನೆಗಳನ್ನು ವಿಧಾಯಕ ಮಾಡುವುದಕ್ಕೆ ಸಂಬಂಧಪಟ್ಟ (ಜರೂರಾತಿಯ ಮುಂದುವರಿಸಿದ) ಆಕ್ಟಿನಿಂದ ಅಥವಾ ಅವುಗಳ ಮೇರೆಗೆ ವಹಿಸಿಕೊಟ್ಟಿರುವ ಯಾವುದಾದರೂ ಅಧಿಕಾರವನ್ನು ಚಲಾಯಿಸಿ ಏರ್ಪಡಿಸಿದ ಯಾವುದಾದರೂ ನಿಬಂಧನೆಗಳನ್ನೂ, ಮಾಡಿದ ಯಾವುದಾದರೂ ಕಾರ್ಯವನ್ನೂ ಮತ್ತು ಕೈಕೊಂಡ ಯಾವುದಾದರೂ ಕಾರ್ಯಕ್ರಮವನ್ನೂ, ಈ ಆಕ್ಟು 1942ನೆಯ ಇಸವಿ ಸೆಪ್ಟೆಂಬರ್ 8ನೆಯ ತಾರೀಖಿನಿಂದ ಜಾರಿಗೆ ಬಂದಿದ್ದರೆ ಹೇಗೋ ಹಾಗೆ, ಈ ಆಕ್ಟಿನಿಂದ ಅಥವಾ ಈ ಆಕ್ಟಿನ ಮೇರೆಗೆ ವಹಿಸಿಕೊಡಲ್ಪಟ್ಟ ಅಧಿಕಾರಗಳನ್ನು ಚಲಾಯಿಸಿ ಏರ್ಪಡಿಸಿದ ನಿಬಂಧನೆಗಳೆಂದೂ, ಮಾಡಿದ ಕಾರ್ಯವೆಂದೂ ಮತ್ತು ಕೈಕೊಂಡ ಕಾರ್ಯಕ್ರಮವೆಂದೂ ಭಾವಿಸತಕ್ಕುದು.

THE COLLECTIVE FINES BILL

Statement of Principles.

In May 1942, the Collective Fines Ordinance, 1942, was promulgated in British India providing for the imposition of collective fines in areas in which the inhabitants are concerned in, ~~or abetting~~ or abetment of the commission ~~of~~, offences prejudicially affecting the defence of India, the public safety, the maintenance of public order, the efficient prosecution of war or the maintenance of supplies or services necessary to the life of the community. As the conditions prevailing in August and September 1942 required that power to impose such penalties in cases of necessity should be available to Government, an emergency Act was promulgated in September 1942.

The Government considered that such a power should continue to be available and the emergency Act was therefore continued by the Collective Fines (Emergency Continuance) Act, 1943, promulgated in March 1943 for a further period of six months. It is now proposed to continue the measure for some more time and this Bill is accordingly brought forward. It is an enabling measure under which Government will have power to impose the fine in suitable cases when such a step becomes necessary.

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THE REPRESENTATIVE ASSEMBLY.

BUDGET SESSION—JUNE 1943.

BILLS.

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THE COLLECTIVE FINES BILL.

A Bill to provide for the imposition of the Collective Fines.

WHEREAS it is expedient to provide for the imposition of collective fines in connection with offences prejudicially affecting the defence of India, the public safety, the maintenance of public order, the efficient prosecution of war or the maintenance of supplies or services necessary to the life of the community;

It is hereby enacted as follows:—

Short title, extent and commencement.

1. (1) This Act may be called the Collective Fines Act, 194 .

(2) It extends to the whole of Mysore.

(3) It shall come into force at once.

Imposition of collective fines on inhabitants of area.

2. (1) If it appears to the Government that the inhabitants of any area are concerned in or abetting the commission of offences prejudicially affecting the defence of India, the public safety, the maintenance of public order, the efficient prosecution of war or the maintenance of supplies or services necessary to the life of the community, or are harbouring persons concerned in the commission

of such offences or are failing to render all the assistance in their power to discover or apprehend the offender or offenders, or are suppressing material evidence of the commission of such offences, the Government may, by notification in the official Gazette, impose a collective fine on the inhabitants of that area.

(2) The Government may exempt any person or class or section of such inhabitants from liability to pay any portion of such fine.

(3) The District Magistrate, after such inquiry as he may deem necessary, shall apportion such fine among the inhabitants who are liable collectively to pay it, and such apportionment shall be made according to the District Magistrate's judgment of the respective means of such inhabitants.

(4) The portion of such fine payable by any person may be recovered from him as a fine or as arrears of land revenue.

Explanation.—For the purposes of this section, the expression "inhabitants of an area" includes persons who themselves or by their agents or servants occupy or hold land or other immovable property within such area, and landlords who themselves or by their agents or servants collect rents from holders or occupiers of land in such area, notwithstanding that they do not actually reside therein.

Bar of legal proceedings.

3. No suit, prosecution or other legal proceeding whatsoever shall lie against any person for or in respect of anything which is in good faith done or intended to be done under this Act.

Repeal and savings.

4. The Collective Fines (Emergency) Act, 1942 (XXXIX of 1942) continued by the Collective Fines (Emergency Continuance) Act, 1943 (XV of 1943) is hereby repealed. But any rules made, anything done and any action taken in exercise of any power conferred by or under the said Emergency Act or the Collective Fines (Emergency Continuance) Act, 1943, shall be deemed to have been made, done or taken, in exercise of powers conferred by or under this Act as if this Act had commenced on the eighth day of September 1942.

THE REPRESENTATIVE ASSEMBLY.

BUDGET SESSION—JUNE 1943.

BILLS.

THE COLLECTIVE FINES BILL.

Statement of Principles.

In May 1942, the Collective Fines Ordinance, 1942, was promulgated in British India providing for the imposition of collective fines in areas in which the inhabitants are concerned in the commission or abetment of offences prejudicially affecting the defence of India, the public safety, the maintenance of public order, the efficient prosecution of war or the maintenance of supplies or services necessary to the life of the community. As the conditions prevailing in August and September 1942 required that power to impose such penalties in cases of necessity should be available to Government, an emergency Act was promulgated in September 1942.

The Government considered that such a power should continue to be available and the emergency Act was therefore continued by the Collective Fines (Emergency Continuance) Act, 1943, promulgated in March 1943 for a further period of six months. It is now proposed to continue the measure for some more time and this Bill is accordingly brought forward. It is an enabling measure under which Government will have power to impose the fine in suitable cases when such a step becomes necessary.

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A Bill to provide for the imposition of the Collective Fines.

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COLLECTIVE FINES BILL

Sir,

I beg to move that the Collective Fines Bill published under Rule 36 of the Mysore Legislative Rules be taken into consideration by the Council.

2. Of the 22 Bills that were placed before the Representative Assembly for consideration, this was the only one that was not accepted by a majority. The red herring of an attempted invasion of the fundamental rights of the people was brushed across the ~~trial~~ trail and th rights and wrongs of the case became completely obscured

3. This measure empowers the Government in cases where the inhabitants of any area are concerned in the commission or abetment of offences prejudicially affecting the Defence of India, the public safety, the maintenance of public order, the efficient prosecution the war or the maintenance of supplies or services necessary to the community or are harbouring persons concerned in the commission of such offence or are failing to render all the assistance in their power to discover or apprehend the offender or offenders or are suppressing material evidence of the commission of such offences, to impose a collective fine on the inhabitants of that area. Members who peruse this provision carefully will notice that this power can be used by Government only when the inhabitants of an area ~~are~~ acting contrary to the requirements of law. In the present times, when the maintenance of law and order is essential not only for the safety of the people but for the effective and successful prosecution of the war, the need for preventing people from acting in ~~any~~ a subversive manner is of paramount importance. This Bill is intended to deal with cases where a number

number of persons in any area take active part in subversive activities or knowing of the carrying on of subversive activities, will not help the authorities to get at the culprits. This Act does not create any new offences whatever. It merely provides for cases of concerted action on the part of a number of people in an area in respect of which it is impossible either to apportion responsibility among them or to specify individuals as responsible for ~~individual~~ particular acts. The Code of Criminal Procedure has placed upon the citizens of the State certain responsibilities in respect of actual ~~offence~~s or attempted offences. Every person is bound to assist ~~a~~ magistrate, or ~~a~~ police officers in taking or preventing the escape of a person they are authorized to arrest or the prevention or suppression of a breach of the peace. Every person, aware of the commission or the intention of any person to commit certain offences under the Penal code is bound in the absence of reasonable excuse to give information forthwith. Every owner or occupier of land or the agent of every such owner or occupier in charge of or the management of that land, is also required forthwith to communicate to the nearest magistrate or police officer, the commission or intention to commit in or near such village any non-bailable offences or certain other offences punishable under the Penal Code. These are all provisions of ordinary every day applicability. Hon'ble Members will therefore see that this Bill imposes no special obligations or responsibilities or duties. On the other hand, it merely provides for dealing with ~~punish~~s what are already offences under the law. As I have explained, the only difference between this Bill and the ~~Penal~~ provisions of the existing criminal law is that in a case where the ordinary criminal law is unable to deal with ~~touch~~ certain persons because it is impossible to specify which individuals committed particular ~~which~~ offences

this Bill steps in and penalises the inhabitants of that area who are conjointly helpful to crime or obstruction to authority. As the provisions are worded, it will be clear that the inhabitants of an area will not be penalised where merely one or two of its inhabitants commit offences. There must be evidence of concerted action. Secondly, there must be evidence that such action is prejudicial to the maintenance of law or order or to the several other matters which are specified in clause 2. Thirdly, the Government must be satisfied that the commission of the offence is so deliberate as to warrant the imposition of the fine. Finally, I may mention that the Government have power under the Act to exempt any person or class or section of persons from liability in cases where they are satisfied that such person or persons have stood out from such concerted subversive action and have acted in a lawful manner.

4. It must be remembered that this Act is intended for any emergency. It is based on the principle that in times of great emergency as at present the interests and rights of individuals must give way to the interests of the country as a whole.

5. The members of this House are aware of the subversive and the unlawful activities that happened some time last year. There were cases of wholesale sabotage, arson, murder and interruptions to services organized for the benefit of the people at large whose repercussions were far-flung. The lives of innumerable citizens who were engaged in their lawful avocations or moving from place to place were in considerable danger and if things had been left to go unchecked, the consequences would clearly have been disasterous. Even in the face of such -

such activities, the provisions of this Act were not put into force any more than was absolutely necessary. I might mention that the Collective Fines Emergency Act to replace which the present Bill has been brought forward, was promulgated in September last year. Ten months have elapsed since this power became available to the Government and yet in the face of the atrocious behaviour of certain sections of people, not more than 4 villages were dealt with under the provisions of this measure. I am merely stating this to indicate that Government are no more anxious than others to take advantage of the power available under this measure and to impose collective fines indiscriminately.

5. I have had to dwell at some length on the object and character of this Bill as I feel that its provisions have been misunderstood. In view of what I have stated, I hope the members of this House will view the provisions of the Bill dispassionately in the light of the prevailing conditions and give their approval to the measure. At a time when the food situation is engaging the consideration of the Government and there is an admitted shortage of foodstuffs, it is more than ever essential that no section of the public should take the law into their own hands and ~~affect~~ interfere with the maintenance of supplies or services necessary to the life of the community. I commend this Bill for your ~~consideration~~ acceptance.

NOTIFICATIONS.

No. Rl. 1121, *dated Bangalore, the 7th June* 1943.

Under the provisions of rule 36 of the Mysore Legislative Rules, 1941, the Dewan has been pleased to order the publication in the Gazette of the Collective Fines Bill together with the Statement of Objects and Reasons.

By Order,

C. NARAYANASWAMY NAIDU,

Secretary to Government,
Law Department.

As passed by the Legislative Council on 2nd July 1943

THE COLLECTIVE FINES BILL.

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(2) It extends to the whole of Mysore.

(3) It shall come into force at once.

(4) It shall be in force during the continuance of the present war and for a period of six months thereafter.

Imposition of collective fines on inhabitants of area.

2. (1) If it appears to the Government that the inhabitants of any area are concerned in or abetting the commission of offences prejudicially affecting the defence of India, the public safety, the maintenance of public

An appeal shall lie to the government from an order of appurtenainment by the District Magistrate provided that such appeal is preferred within 60 days from the date of such order exclusive of the time required for obtaining a copy of the order

order, the efficient prosecution of war or the maintenance of supplies or services necessary to the life of the community, or are harbouring persons concerned in the commission of such offences or are failing to render all the assistance in their power to discover or apprehend the offender or offenders, or are suppressing material evidence of the commission of such offences, the Government may, by notification in the official Gazette, impose a collective fine on the inhabitants of that area.

(2) The Government may exempt any person or class or section of such inhabitants from liability to pay any portion of such fine.

(3) The District Magistrate, after such inquiry as he may deem necessary, shall apportion such fine among the inhabitants who are liable collectively to pay it, and such apportionment shall be made according to the District Magistrate's judgment of the respective means of such inhabitants.

(4) The portion of such fine payable by any person may be recovered from him as a fine or as arrears of land revenue.

Explanation.—For the purposes of this section, the expression "inhabitants of an area" includes persons who themselves or by their agents or servants occupy or hold land or other immovable property within such area, and landlords who themselves or by their agents or servants collect rents from holders or occupiers of land in such area, notwithstanding that they do not actually reside therein.

Bar of legal proceedings.

3. No suit, prosecution or other legal proceeding whatsoever shall lie against any person for or in respect of anything which is in good faith done or intended to be done under this Act.

Repeal and savings.

4. The Collective Fines (Emergency) Act, 1942 (XXXIX of 1942) continued by the Collective Fines (Emergency Continuance) Act, 1943 (XV of 1943) is hereby repealed. But any rules made, anything done and any action taken in exercise of any power conferred by or under the said Emergency Act or the Collective Fines (Emergency Continuance) Act, 1943, shall be deemed to have been made, done or taken, in exercise of powers conferred by or under this Act as if this Act had commenced on the eighth day of September 1942.

S. Satyamurthi Raju 12/7/43.
President
Legislative Council

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS
THE MAHARAJA OF MYSORE

Order No. Legis 13-43 134

Dated, Bangalore, 11th Aug 1943

Ordered that the accompanying Collective Fines Act (Amdt)

which received the assent of His Highness the Maharaja, on the 28th day of July 1943, be published as Act No. ~~XXXVII~~ XXXVIII of 1943, in the *Mysore Gazette*, for general information.

10.8.43 *General Secretary to Government.*
11/8. Law Dept

To

1. The Compiler, *Mysore Gazette*, for publication in Part IV of the Gazette, in English and Kannada and for supply of spare copies in English and Kannada, as per standing orders.

2. Copy to the Translation Section

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

Order No. RL 189 /Legis. 13-43-,

Dated, Bangalore, 18/11 August 1943.

Ordered that the accompanying Collective Fines Act, 1943, which received the assent of His Highness the Maharaja on the 28th day of July 1943, be published as Act No. ~~XLV~~ XXVIII of 1943 in the Mysore Gazette, for general information.

Secretary to Government,
Law Department.

To

The Compiler, Mysore Gazette, for publication in Part IV of the Gazette in English and Kannada, and for supply of spare copies in English and Kannada, as per standing orders.

Copy to the Translation Section.

PR. 12/8

NOTIFICATIONS.

No. Rl. 1121, *dated Bangalore, the 7th June* 1943.

Under the provisions of rule 36 of the Mysore Legislative Rules, 1941, the Dewan has been pleased to order the publication in the Gazette of the Collective Fines Bill together with the Statement of Objects and Reasons.

By Order,

C. NARAYANASWAMY NAIDU,

Secretary to Government,
Law Department.

XXXVIII
Act No XXXV of 1943

THE COLLECTIVE FINES ~~BILL~~. Act 1943

(P

An Act ~~A Bill~~ **to provide for the imposition of the Collective Fines.**

(Received the assent of His Highness the Maharaja on the 28th day of July 1943)

WHEREAS it is expedient to provide for the imposition of collective fines in connection with offences prejudicially affecting the defence of India, the public safety, the maintenance of public order, the efficient prosecution of war or the maintenance of supplies or services necessary to the life of the community;

It is hereby enacted as follows:—

Short title, extent and commencement.

1. (1) This Act may be called the Collective Fines Act, 194 L.

(2) It extends to the whole of Mysore.

(3) It shall come into force at once.

(4) It shall be in force during the continuance of the present war and for a period of six months thereafter.

Imposition of collective fines on inhabitants of area.

2. (1) If it appears to the Government that the inhabitants of any area are concerned in or abetting the commission of offences prejudicially affecting the defence of India, the public safety, the maintenance of public

an order of apportionment by the District Magistrate provided such appeal is preferred within 60 days from the date of such order exclusive of the time required for obtaining obtaining a copy of such order

order, the efficient prosecution of war or the maintenance of supplies or services necessary to the life of the community, or are harbouring persons concerned in the commission of such offences or are failing to render all the assistance in their power to discover or apprehend the offender or offenders, or are suppressing material evidence of the commission of such offences, the Government may, by notification in the official Gazette, impose a collective fine on the inhabitants of that area.

(2) The Government may exempt any person or class or section of such inhabitants from liability to pay any portion of such fine.

(3) The District Magistrate, after such inquiry as he may deem necessary, shall apportion such fine among the inhabitants who are liable collectively to pay it, and such apportionment shall be made according to the District Magistrate's judgment of the respective means of such inhabitants. An appeal shall lie to the Government

(4) The portion of such fine payable by any person may be recovered from him as a fine or as arrears of land revenue.

Explanation.—For the purposes of this section, the expression "inhabitants of an area" includes persons who themselves or by their agents or servants occupy or hold land or other immovable property within such area, and landlords who themselves or by their agents or servants collect rents from holders or occupiers of land in such area, notwithstanding that they do not actually reside therein.

Bar of legal proceedings.

3. No suit, prosecution or other legal proceeding whatsoever shall lie against any person for or in respect of anything which is in good faith done or intended to be done under this Act.

Repeal and savings.

4. The Collective Fines (Emergency) Act, 1942 (XXXIX of 1942) continued by the Collective Fines (Emergency Continuance) Act, 1943 (XV of 1943) is hereby repealed. But any rules made, anything done and any action taken in exercise of any power conferred by or under the said Emergency Act or the Collective Fines (Emergency Continuance) Act, 1943, shall be deemed to have been made, done or taken, in exercise of powers conferred by or under this Act as if this Act had commenced on the eighth day of September 1942.

(Sd) N. Madhava Rau

Dewan

NOTIFICATION.

Order No. Rl. 189—*Legis.* 13-43-1, *dated Bangalore, the* 16*th August* 1943.

Ordered that the accompanying Collective Fines Act, 1943, which received the assent of His Highness the Maharaja on the 28th day of July 1943, be published as Act No. XXXVIII of 1943 in the *Mysore Gazette*, for general information.

C. NARAYANASWAMY NAIDU,

Secretary to Government, Law Department.

ACT No. XXXVIII OF 1943.

THE COLLECTIVE FINES ACT, 1943.

An Act to provide for the imposition of the Collective Fines.

(*Received the assent of His Highness the Maharaja on the* 28*th day of July* 1943.)

WHEREAS it is expedient to provide for the imposition of collective fines in connection with offences prejudicially affecting the defence of India, the public safety, the maintenance of public order, the efficient prosecution of war or the maintenance of supplies or services necessary to the life of the community;

It is hereby enacted as follows:—

Short title, extent commencement and duration.

1. (1) This Act may be called the Collective Fines Act, 1943.

(2) It extends to the whole of Mysore.

(3) It shall come into force at once.

(4) It shall be in force during the continuance of the present war and for a period of six months thereafter.

Imposition of collective fines on inhabitants of area.

2. (1) If it appears to the Government that the inhabitants of any area are concerned in or abetting the commission of offences prejudicially affecting the defence of India, the public safety, the maintenance of public order, the efficient prosecution of war or the maintenance of supplies or services necessary to the life of the community, or are harbouring persons concerned in the commission of such offences or are failing to render all the assistance in their power to discover or apprehend the offender or offenders, or are suppressing material evidence of the

commission of such offences, the Government may, by notification in the official Gazette, impose a collective fine on the inhabitants of that area.

(2) The Government may exempt any person or class or section of such inhabitants from liability to pay any portion of such fine.

(3) The District Magistrate, after such inquiry as he may deem necessary, shall apportion such fine among the inhabitants who are liable collectively to pay it, and such apportionment shall be made according to the District Magistrate's judgment of the respective means of such inhabitants. An appeal shall lie to the Government from an order of apportionment by the District Magistrate provided such appeal is preferred within sixty days from the date of such order exclusive of the time required for obtaining a copy of the order.

(4) The portion of such fine payable by any person may be recovered from him as a fine or as arrears of land revenue.

Explanation.— For the purposes of this section, the expression "inhabitants of an area" includes persons who themselves or by their agents or servants occupy or hold land or other immovable property within such area, and landlords who themselves or by their agents or servants collect rents from holders or occupiers of land in such area, notwithstanding that they do not actually reside therein.

Bar of legal proceedings.

3. No suit, prosecution or other legal proceeding whatsoever shall lie against any person for or in respect of anything which is in good faith done or intended to be done under this Act.

Repeal and savings.

4. The Collective Fines (Emergency) Act, 1942 (XXXIX of 1942) continued by the Collective Fines (Emergency Continuance) Act, 1943 (XV of 1943) is hereby repealed. But any rules made, anything done and any action taken in exercise of any power conferred by or under the said Emergency Act or the Collective Fines (Emergency Continuance) Act, 1943, shall be deemed to have been made, done or taken, in exercise of powers conferred by or under this Act as if this Act had commenced on the eighth day of September 1942.

N. MADHAVA RAU,
Dewa

Price: 0-0-3.

Printed by the Superintendent at the Government Press, Bangalore.

public order, the efficient prosecution of war or the maintenance of supplies or services necessary to the life of the community, or are harbouring persons concerned in the commission of such offences, or are failing to render all the assistance in their power to discover or apprehend the offender or offenders, or are suppressing material evidence of the commission of such offences, the Government may, by notification in the official Gazette, impose a collective fine on the inhabitants of that area.

(2) The Government may exempt any person or class or section of such inhabitants from liability to pay any portion of such fine.

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(4) The portion of such fine payable by any person may be recovered from him as a fine or as arrears of land revenue.

Explanation.—For the purposes of this section, the expression "inhabitants of an area" includes persons who themselves or by their agents or servants occupy or hold land or other immovable property within such area, and landlords who themselves or by their agents or servants collect rents from holders or occupiers of land in such area, notwithstanding that they do not actually reside therein.

N. MADHAVA RAU,

Dewan.

Price : Re. 0-0-3.

Printed by the Superintendent at the Government Press, Bangalore.

NOTIFICATION.

Order No. R. L. 356—Legis. 20-42-1, dated Bangalore, the 30th September 1942.

Ordered that the accompanying Emergency Act to provide for the imposition of Collective Fines which received the assent of His Highness the Maharaja on the 8th day of September 1942, be published as Act No. XXXIX of 1942, in the *Mysore Gazette*, for general information.

C. NARAYANASWAMY NAIDU,
Secretary to Government,
Law Department.

ACT XXXIX OF 1942.

An Act to provide for the Imposition of Collective Fines.

(*Received the assent of His Highness the Maharaja on the eighth day of September 1942.*)

Whereas an emergency has arisen which makes it necessary to provide for the imposition of collective fines in connection with offences prejudicially affecting the defence of India, the public safety, the maintenance of public order, the efficient prosecution of war or the maintenance of supplies or services necessary to the life of the community.

Now, therefore, in exercise of the powers conferred by section 31 of the Government of Mysore Act. 1940 :

It is hereby enacted as follows:—

Short title, extent and commencement.

1. (1) This Act may be called the Collective Fines (Emergency) Act, 1942.

(2) It extends to the whole of Mysore.

(3) It shall come into force at once

Imposition of collective fines on inhabitants of area.

2. (1) If it appears to the Government that the inhabitants of any area are concerned in or abetting the commission of offences prejudicially affecting the defence of India, the public safety, the maintenance of

public order, the efficient prosecution of war or the maintenance of supplies or services necessary to the life of the community, or are harbouring persons concerned in the commission of such offences, or are failing to render all the assistance in their power to discover or apprehend the offender or offenders, or are suppressing material evidence of the commission of such offences, the Government may, by notification in the official Gazette, impose a collective fine on the inhabitants of that area.

(2) The Government may exempt any person or class or section of such inhabitants from liability to pay any portion of such fine.

(3) The District Magistrate, after such inquiry a he may deem necessary, shall apportion such fine amon the inhabitants who are liable collectively to pay it, and such apportionment shall be made according to the District Magistrate's judgment of the respective means of such inhabitants.

(4) The portion of such fine payable by any person may be recovered from him as a fine or as arrears of land revenue.

Explanation.—For the purposes of this section, the expression "inhabitants of an area" includes persons who themselves or by their agents or servants occupy or hold land or other immovable property within such area, and landlords who themselves or by their agents or servants collect rents from holders or occupiers of land in such area, notwithstanding that they do not actually reside therein.

Bar of legal proceedings

3. No suit, prosecution or other legal proceeding ~~N. MADHAVA RAU,~~ whatsoever shall lie against any person ~~Dewan.~~ for it in respect of anything which is in good faith done or intended to be done under this Act

Repeal and savings

4 The Collective Fines (Emergency) Act, 1942 (XXIX of 1942) continued by the Collective Fines (Emergency Continuance) Act 1943 (XV of 1943) is hereby repealed But any rules made, anything done and any action taken in exercise of any power conferred by or under the said Emergency Act shall be deemed to have been made, done or taken, in exercise of powers conferred by or under this Act, as if this Act had commenced

~~Price: Re. 0-0-3.~~

~~Printed by the Superintendent at the Government Press, Bangalore.~~

NOTIFICATION.

Order No. R. L. 356—Legis. 20-42-1, dated Bangalore the 30th September 1942.

Ordered that the accompanying Emergency Act provide for the imposition of Collective Fines whi received the assent of His Highness the Maharaja the 8th day of September 1942, be published as Act N XXXIX of 1942, in the *Mysore Gazette*, for gener information.

C. NARAYANASWAMY NAIDU,
Secretary to Governmen
Law Department.

A Bill

ACT XXXIX OF 1942.

An Act to provide for the Imposition of Collective Fines.

(*Received the assent of His Highness the Maharaja on the eighth day of September 1942.*)

Whereas it is expedient an emergency has arisen which makes it necessary to provide for the imposition of collective fines in connection with offences prejudicially affecting the defence of India, the public safety, the maintenance of public order, the efficient prosecution of war or the maintenance of supplies or services necessary to the life of the community;

Now, therefore, in exercise of the powers conferred by section 31 of the Government of Mysore Act, 1940;

It is hereby enacted as follows:—

1. (1) This Act may be called the Collective Fines (Emergency) Act, 1942. Short title, extent and commencement.

(2) It extends to the whole of Mysore.

(3) It shall come into force at once.

2. (1) If it appears to the Government that the inhabitants of any area are concerned in or abetting the commission of offences prejudicially affecting the defence of India, the public safety, the maintenance of Imposition of collective fines on inhabitants of area.

Repeal and savings.

4. The Collective Fines (Emergency) Act, 1942 (XXXIX of 1942) continued by the Collective Fines (Emergency Continuance) Act, 1943 (XV of 1943) is hereby repealed. But any rules made, anything done and any action taken in exercise of any power conferred by or under the said Emergency Act or the Collective Fines (Emergency Continuance) Act, 1943, shall be deemed to have been made, done or taken, in exercise of powers conferred by or under this Act as if this Act had commenced on the ~~expiry eighth~~ eighth day of September 1942.

A BILL TO PROVIDE FOR THE IMPOSITION OF COLLECTIVE FINES.

WHEREAS it is expedient to provide for the imposition of collective fines in connection with offences prejudicially affecting the defence of India, the public safety, the maintenance of public order, the efficient prosecution of war or the maintenance of supplies or services necessary to the life of the community;

It is hereby enacted as follows:-

Short title, extent and commencement.

1. (1) This Act may be called the Collective Fines Act, 194..

(2) It extends to the whole of Mysore.

(3) It shall come into force at once.

Imposition of collective fines on inhabitants of area.

2. (1) If it appears to the Government that the inhabitants of any area are concerned in or abetting the commission of offences prejudicially affecting the defence of India, the public safety, the maintenance of public order, the efficient prosecution of war or the maintenance of supplies or services necessary to the life of the community, or are harbouring persons concerned in the commission of such offences, or are failing to render all the assistance in their power to discover or apprehend the offender or offenders, or are suppressing material evidence of the commission of such offences, the Government may, by notification in the official Gazette, impose a collective fine on the inhabitants of that area.

(2) The Government may exempt any person or class or section of such inhabitants from liability to pay any portion of such fine.

(3) The District Magistrate, after such inquiry as he may deem necessary, shall apportion such fine among the inhabitants who are liable collectively to pay it, and such apportionment shall be made according to the District Magistrate's judgment of the respective means of such inhabitants.

(4) The portion of such fine payable by any person may be recovered from him as a fine or as arrears of land revenue.

Explanation.- For the purposes of this section; the expression "inhabitants of an area" includes persons who themselves or by they agents or servants occupy or hold land or other immovable property within such area, and landlords who themselves or by their agents or servants collect rents from holders or occupiers of land in such area, notwithstanding that they do not actually ~~reside~~ reside therein..

Bar of legal proceedings.

3. No suit, prosecution or other legal proceeding whatsoever shall lie against any person for or in respect of anything which is in good faith done or intended to be done under this Act.

~~Repeal and savings.~~

~~4. The Collective Fines (Emergency) Act, 1942 (XVI of 1942)~~

ACT No. XV OF 1943.

The Collective Fines (Emergency Continuance) Act, 1943.

(Received the assent of His Highness the Maharaja on the 8th day of March 1943.)

Whereas the Collective Fines (Emergency) Act, 1942, (Act. No. XXXIX of 1942) received the assent of His Highness the Maharaja on the 8th day of September 1942 and was published in the *Mysore Gazette* on the 1st day of October 1942;

And whereas the Government of His Highness the Maharaja is satisfied that circumstances exist which render it necessary to take immediate action to extend the said Act for a further period of six months;

Now therefore in exercise of the powers conferred by clause (a) of Sub-Section (2) of Section 31 of the Government of Mysore Act, 1940 (Act No. XVIII of 1940);

It is hereby enacted as follows :—

1. This Act may be called the Collective Fines (Emergency Continuance) Act, 1943.

2. The Collective Fines (Emergency) Act, 1942 (Act No. XXXIX of 1942) is hereby extended for a further period of six months.

N. MADHAVA RAU,
Dewan.

Printed by the Superintendent at the Government Press, Bangalore.

Regd. No. M.—1175.

The Mysore Gazette

(EXTRAORDINARY)

PUBLISHED BY AUTHORITY.

BANGALORE, MONDAY, MARCH 8, 1943.

NOTIFICATION.

No. Rl. 871—*Legis.* 56-42-1, *dated Bangalore, the* 8*th March* 1943.

Ordered that the accompanying Collective Fines (Emergency Continuance) Act, 1943, which received the assent of His Highness the Maharaja, on the 8th day of March 1943, be published as Act No. XV of 1943, in the *Mysore Gazette*, for general information.

C. NARAYANASWAMY NAIDU,
Secretary to Government,
Law Department.

public order, the efficient prosecution of war or the maintenance of supplies or services necessary to the life of the community, or are harbouring persons concerned in the commission of such offences, or are failing to render all the assistance in their power to discover or apprehend the offender or offenders, or are suppressing material evidence of the commission of such offences, the Government may, by notification in the official Gazette, impose a collective fine on the inhabitants of that area.

(2) The Government may exempt any person or class or section of such inhabitants from liability to pay any portion of such fine.

(3) The District Magistrate, after such inquiry as he may deem necessary, shall apportion such fine among the inhabitants who are liable collectively to pay it, and such apportionment shall be made according to the District Magistrate's judgment of the respective means of such inhabitants.

(4) The portion of such fine payable by any person may be recovered from him as a fine or as arrears of land revenue.

Explanation.—For the purposes of this section, the expression "inhabitants of an area" includes persons who themselves or by their agents or servants occupy or hold land or other immovable property within such area, and landlords who themselves or by their agents or servants collect rents from holders or occupiers of land in such area, notwithstanding that they do not actually reside therein.

N. MADHAVA RAU,

Dewan.

Price : Re. 0-0-3.

Printed by the Superintendent at the Government Press, Bangalore.

1-10-42

NOTIFICATION.

Order No. R. L. 356—Legis. 20-42-1, dated Bangalore, the 30th September 1942.

Ordered that the accompanying Emergency Act to provide for the imposition of Collective Fines which received the assent of His Highness the Maharaja on the 8th day of September 1942, be published as Act No. XXXIX of 1942, in the *Mysore Gazette*, for general information.

T. NARAYANASWAMY NAIDU,
Secretary to Government,
Law Department.

ACT XXXIX OF 1942.

An Act to provide for the Imposition of Collective Fines.

(*Received the assent of His Highness the Maharaja on the eighth day of September 1942.*)

Whereas an emergency has arisen which makes it necessary to provide for the imposition of collective fines in connection with offences prejudicially affecting the defence of India, the public safety, the maintenance of public order, the efficient prosecution of war or the maintenance of supplies or services necessary to the life of the community.

Now, therefore, in exercise of the powers conferred by section 31 of the Government of Mysore Act, 1940;

It is hereby enacted as follows:—

Short title, extent and commencement.

1. (1) This Act may be called the Collective Fines (Emergency) Act, 1942.

(2) It extends to the whole of Mysore.

(3) It shall come into force at once.

Imposition of collective fines on inhabitants of area.

2. (1) If it appears to the Government that the inhabitants of any area are concerned in or abetting the commission of offences prejudicially affecting the defence of India, the public safety, the maintenance of

The Collective Farms Bill

Continuation Sheet. File No. 444/RL Current No. of Page.

3. Also to move that the Bill be passed

DW 12/6/43 BDN 10/6

The Bill was introduced in the Legislative Council at the recent Budget Session, and certain amendments moved by the Law Secretary were accepted by the House and the Bill as amended was passed on 2nd July 1943

A copy of the Bill as finally passed and signed by the president, Legislative Council, is put up herewith.

A.D.N is submitted for approval

Secy (RA Le) 14.7.43

DW 14/7/43 BDN 14/7

GKR 14.7.43

Law Secy) Submitted

15.7.43

Signed N. duplicate put up.

15.7.

MWV.

Law —

GR 17/7/43

A.D.S.N. is submitted for approval

DW 19/7/43 BDN 19/7

Secy (RA Le) BDN 19.7.43

BKR 19.7.43

Dewan)

DE... OFFICE 19 JUL. 1943 411

SECY. LAW DEPT. 668 1943 GOVT OF MYSORE

OFFICE OF THE MINISTER FOR REVENUE & LAW 15 JULY 1943 No. 4444

Collective Farms Bill

Continuation Sheet. File No. / Current No. of Page.

Act will expire in September and unless it is proposed to be allowed to it to lapse, the Bill will have to be introduced and passed in the Leg. Co. before the 31st March 1944 when the Act will be adopted as the 31st Objects & Reasons

the permission of the Governor is solicited for publishing the Bill under rule 36.

Secy (Law) 5/6/43

BKR 2-6-43

Law Secy)

May be published

Govr 2.6.43

Govt

P. C. BKR 26-6-43

S/B. 7-6-43

To, The Compiler, Hyderabad Gazette

No. R.L. 1121 dated 7th June 1943

Directs publication of the Bill with the St. of Objects and Reasons in the Gazette.

Orders have been obtained for including the following motions in respect of the legislative business to be transacted at the ensuing Session of the L.C. in the name of the Minister for Law

1. The Minister for Law to introduce the Collective Farms Bill

2. Also to move that the Bill be taken into consideration by the Council

re collective fines Bill

Continuation Sheet. File No. 444/22 Current No. of Page.

May be approved
Mysore Laws
7-5-43
7.5.43

RVa
1675

10/5/43

OFFICE OF THE MINISTER FOR FINANCE & REVENUE
- 8 MAY 1943
No 9440

Copy of Pres v Translation today.
10.5.43
10.5.43

H.R.A. did not approve of it by majority put up a note for further action
Laws
1-6-43

Submitted.

Though the principles of this Bill were not approved by the House, the majority who opposed it was less than the statutory majority of two-thirds of the total number of members, as required under section 26(2) of the Government of Mysore Act, 1940. Hence it is not precluded from being introduced in the ensuing Session of L.C.

If ordered, the Bill will be published under rule 36 of the Mysore Legislative Rules.

24/6/43

Only 98 members voted against the Bill. The Emergency

WD 01809—GPB—60,000—26-1-43

The Collective Fines (Emergency) (Amendment Act 1943

Continuation Sheet. File No. Current No. of Page.

4441RL

The gracious assent of His Highness the Maharaja was accorded on the 14th April 1943 to promulgate the Act into law.

A draft G.O. directing publication as Act No XIX of 1943 is submitted for approval.

SECY. L. DEPT. 13 MAY 43 GOVT. OF MYSORE

2N 1-5-43 BVR 1/5

Secy (RA-Le) 1.5.43

BVR 1.5.43

Law Secy)

Ans 3-5-43

Dshm BVR 3.5.43

The Emergency Act has been published in the Mysore Gazette dated 6th May 43

2N 7/5/43

Issued No RL 1036 Legis 56 42-2 dated 4-5-43 Directing publication of the Act in the Gazette

Subd

Orders have been passed to place the Emergency Act and the present amending Act permanently on the Statute Book. A draft Bill and a Statement of principles are put up for consideration.

2N 5-5-43 BVR 5/5

Please put up Subd a Dsm 5.5.43

Typed copies of the Bill and Statement of principles are put up herewith.

SECY. L. DEPT. 13 MAY 43 GOVT. OF MYSORE

2N 7.5.43 BVR 7/5

A draft Bill on the lines of the Emergency Act and a St. of principles are Put up for approval.

Dsm 7.5.43

Law Secy)